

24. W. Bullock – W. Bullock Signed Force Policy

TITLE: USE OF DEADLY FORCE - HANDOUT

NORTH CAROLINA GENERAL STATUTE 15A-401 (d) (2) - USE OF FORCE IN ARREST.

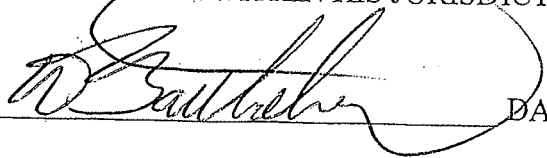
A LAW ENFORCEMENT OFFICER IS JUSTIFIED IN USING DEADLY PHYSICAL FORCE UPON ANOTHER PERSON FOR A PURPOSE SPECIFIED IN SUBDIVISION (1) OF THIS SUBSECTION ONLY WHEN IT IS OR APPEARS TO REASONABLY NECESSARY THEREBY:

- A) TO DEFEND HIMSELF OR A THIRD PERSON FROM WHAT HE REASONABLY BELIEVES TO THE USE IMMINENT USE OF DEADLY PHYSICAL FORCE;
- B) TO EFFECT AN ARREST OR PREVENT THE ESCAPE FROM THE CUSTODY OF A PERSON WHO HE REASONABLY BELIEVES IS ATTEMPTING TO ESCAPE BY MEANS OF A DEADLY WEAPON, OR WHO BY HIS CONDUCT OR ANY OTHER MEANS INDICATES THAT HE PRESENTS AN IMMINENT THREAT OF DEATH OR SERIOUS PHYSICAL INJURY TO OTHERS UNLESS APPREHENDED WITHOUT DELAY; OR
- C) TO PREVENT THE ESCAPE OF A PERSON FROM CUSTODY IMPOSED UPON HIM AS A RESULT OF CONVICTION FOR A FELONY.

NOTHING IN THIS SUBDIVISION CONSTITUTES JUSTIFICATION FOR WILLFUL, MALICIOUS OR CRIMINAL NEGLIGENT CONDUCT ANY PERSON WHICH INJURES OR ENDANGERS ANY PERSON OR PROPERTY, NOR SHALL IT BE CONSTRUED TO EXCUSE OR JUSTIFY THE USE OF UNREASONABLE OR EXCESSIVE FORCE.

NOTE: A LAW ENFORCEMENT OFFICER ACTING OUTSIDE OF HIS/HER JURISDICTION ASSUMES THE IDENTITY OF A PRIVATE CITIZEN. WHILE THERE MAY BE JUSTIFICATION FOR THE INDIVIDUAL'S ACTION WHEN CONFRONTED WITH A CRIMINAL SITUATION, THE OFFICER IS STILL CIVILLY LIABLE. IT IS IMPORTANT TO NOTE THAT A CIVIL JURY MAY VIEW THIS ACTIONS AS A CITIZEN ALTOGETHER DIFFERENTLY THAN IF WERE ACTING AS A SWORN OFFICER WITHIN HIS JURISDICTIONAL LIMITS.

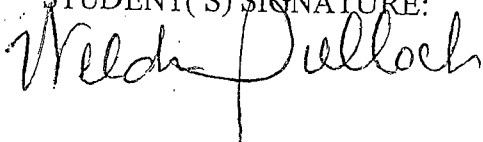
INSTRUCTOR:



DATE:

9-6-18

STUDENT(S) SIGNATURE:



Approved Directive B. 9, eff 9-1-09

Dept. Policy on Use of Force

9-6-18

Justin J. White
6606 Clarksburg Place
Mailbox 12
Raleigh, NC 27616

May 22nd, 2017

To Whom it May Concern:

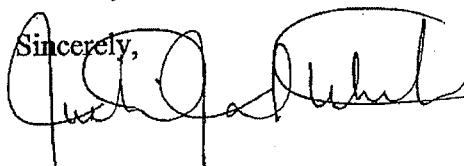
Re: Bertie Correctional Institution Termination

Good morning,

Per my interview on May 10th, 2017, I was instructed to provide a notarized statement pursuant to my dismissal from the NC Department of Public Safety: Bertie Correctional Institution.

On July 24th, 2015, I was terminated from Bertie Correctional Institution for allegations of Insubordination, categorized as unacceptable personal conduct as noted on my F-3 Personal History Statement. I filed an appeal and on September 11th, 2015, I was reinstated with back pay and full benefits. Same day, after my reinstatement, I submitted my resignation. Since the termination was overturned by upper management, then no termination exists.

Should you have any further questions or concerns please do not hesitate in contacting me.

Sincerely,
 5/30/2017

Justin White
Jw

Cc: File
Justin White, Applicant
W.W. Bullock, Captain, Vance County Sheriff's Office

State of North Carolina
County of Wake

On this, the 30th day of May, 2017, before me a notary public, the undersigned party, personally appeared Justin James White known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.

Linda Rafal
Notary Public

My Commission expires on
March 14, 2019

